

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NARTRON CORPORATION,

Plaintiff and Counter-Defendant,

Case No. 10-CV-12293

Hon. Mark A. Goldsmith

Hon. Mark A. Randon

vs.

COOPER-STANDARD AUTOMOTIVE, INC.,

Defendant and Counterclaimant.

**ORDER ON COOPER-STANDARD AUTOMOTIVE, INC.'S
SECOND MOTION TO COMPEL ROBERT C. J. TUTTLE TO
PRODUCE DOCUMENTS AND OTHER MATERIAL
RESPONSIVE TO SUBPOENA (DKT. 80) AND NARTRON
CORPORATION'S MOTION TO QUASH SUBPOENA DIRECTED TO DR.
STEPHEN COOPER (DKT. 81)**

This matter is before the Court on the above-identified motions of Docket Nos. 80 and 81. Briefs were filed by Cooper-Standard Automotive, Inc. ("Cooper-Standard"), Nartron Corporation ("Nartron"), and non-party Robert Tuttle. On December 8, 2011, the Court heard oral argument. Being duly advised in the premises, the Court will take Docket No. 80 under advisement, grants-in-part, and denies-in-part Docket No. 81, and orders as follows.

IT IS ORDERED THAT:

A. Cooper Standard's subpoena is quashed insofar as it requests documents acquired or created by Dr. Stephen Cooper pursuant to his retention as an expert in the instant litigation.

B. Within 14 days of entry of this Order, Dr. Stephen Cooper shall produce documents responsive to the subpoena that he acquired or created while employed by, or acting

as a consultant for, Nartron prior to his retention as an expert in connection with the instant litigation.

C. Within 28 days of entry of this Order, Dr. Stephen Cooper shall provide a log of documents responsive to the subpoena that Nartron claims were acquired or created by Dr. Stephen Cooper pursuant to his retention as an expert in the instant litigation and, thus, protected by the attorney work product doctrine.

D. Within 14 days of entry of this Order, non-party Robert Tuttle shall submit to this Court for an *in camera* inspection those documents identified on the record during oral argument, further identified here with reference to the privilege logs attached as Exhibits A and B to Docket No. 80:

Exhibit A, Docket No. 80-2

Date	Subject
4/6/2009	Correspondence from JW to DS re: Nartron's product and Cooper-Standard's ODS Product
7/22/2009	E-mail from DS to RT re: Cooper-Standard's Third Set of Interrogatories dated July 13, 2009
10/8/2010	E-mail from DS to RT and JW re: Cooper-Standard videos
6/13/2011	E-mail from DS to RT re: Subpoena and Cooper-Standard's First Set of Interrogatories in Federal District Court
6/16/2011	E-mail from DS to RT re: Subpoena and Cooper-Standard's First Set of Interrogatories in Federal District Court
6/18/2011	E-mail x2 from DS to RT [sic.] Cooper-Standard's First

	Set of Interrogatories in Federal District Court
6/25/2011	E-mail from DS to RT re: Cooper-Standard's First Set of Interrogatories in Federal District Court

Exhibit B, Docket No. 80-3

Bates No.	Date
PRIV2-10	10/8/10
PRIV11-13	6/2011
PRIV26	8/10/10
PRIV2728 [sic.]	10/6/10
PRIV64	6/2011

E. No fees or costs are awarded.

SO ORDERED.

s/Mark A. Randon
 MARK A. RANDON
 UNITED STATES MAGISTRATE JUDGE

Dated: January 12, 2012

Certificate of Service

I hereby certify that a copy of the foregoing document was served on the parties of record on this date, January 12, 2012, by electronic and/or first class U.S. mail.

s/Melody R. Miles
 Case Manager to Magistrate Judge Mark A. Randon
 (313) 234-5542

Agreed as to form only.

DREW COOPER & ANDING, P.C.

By: /s/ J. Joseph Rossi (w/ permission)

John E. Anding (P30356)

Thomas V. Hubbard (P60575)

J. Joseph Rossi (P53941)

Aldrich Place, Suite 200

80 Ottawa Avenue, N.W.

Grand Rapids, Michigan 49503

(616) 454-8300

Counsel for Nartron Corporation

Mark A. Cantor (P32661)

Robert C.J. Tuttle (P25222)

John E. Nemazi (P33285)

BROOKS KUSHMAN P.C.

1000 Town Center, Twenty-Second Floor

Southfield, Michigan 48075

(248) 358-4400

(248) 358-3351 (fax)

Counsel for Nartron Corporation

FOLEY & LARDNER LLP

By: /s/ Nicholas J. Ellis

John R. Trentacosta (P31856)

Scott T. Seabolt (P55890)

Vanessa L. Miller (P67794)

Nicholas J. Ellis (P73174)

500 Woodward Avenue, Suite 2700

Detroit, Michigan 48226

(313) 234-7100

(313) 234-2800 (fax)

Counsel for Cooper-Standard Automotive,
Inc.

ROBERT C.J. TUTTLE

(In his individual capacity)

By: /s/ Robert C.J. Tuttle (w/ permission)

Robert C.J. Tuttle (P25222)

BROOKS KUSHMAN P.C.

1000 Town Center, Twenty-Second Floor

Southfield, Michigan 48075

(248) 358-4400

(248) 358-3351 (fax)

In his individual capacity
